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Terry Collingsworth, executive director of the Washington, DC-based International Labor Rights Fund (ILRF) and lead counsel in half a dozen Alien Tort Claims Act cases praised today's US Supreme Court ruling upholding the Act.

"The Alvarez decision erases any doubt about the validity of the ATCA for addressing egregious human rights cases, and sends a clear message to multinationals who seek to profit from forced labor and torture of workers and other human rights victims," said Collingsworth. Natacha Thys, ILRF's Assistant General Counsel, added "Alvarez allows all of our ATCA cases to go forward: Unocal, ExxonMobil, Coca Cola, Drummond, Occidental, Del Monte and Daimler/Chrysler."

The U.S. Supreme Court held today in *Sosa v. Alvarez-Machain*, (case nos. 03-339 and 03-485) that the Alien Tort Claims Act also referred to as the Alien Tort Statute (ATS), allows foreign litigants to bring claims in U.S. Federal court for crimes committed in violation of the law of nations which prohibits murder, torture, genocide, slavery and crimes against humanity.

In upholding the statute, Justice Souter joined by all his fellow Justices in Part III of the opinion stated, "[a]lthough we agree the statute is in terms only jurisdictional, we think that at the time of the enactment the jurisdiction enabled federal courts to hear claims in a very limited category defined by the law of nations and recognized at common law." The Court went on to add "[t]here is too much in the historical record to believe that Congress would have enacted the ATS only to leave it lying fallow indefinitely."

The Court's holding expressly rejected the position taken by Petitioner Jose Sosa that the ATS did not permit individuals to sue in US courts, a position also advocated by the Bush Administration and major business groups. The Administration intervened in the Alvarez case to argue that the ATS is merely a jurisdictional statute that would require additional legislation before a case could be brought in Federal Court.

In rejecting this argument, the Supreme Court upheld what human rights advocates have maintained for the past twenty years, that the ATS allows individuals their day in court against corporations they accuse of violating the law of nations.

Read decision

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